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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,558	10/08/1999	SEPPO REINO KERONEN	169.1469	3473

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EXAMINER
FUREMAN, JARED

ART UNIT	PAPER NUMBER
2876	

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/414,558	KERONEN ET AL.	
	Examiner	Art Unit	
	Jared J. Fureman	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 September 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *46-48,50,51,53,55,56,60-62,64,66 and 76-114* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *46-48,50,51,53,55,56,60-62,64,66 and 76-114* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 September 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *14* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Receipt is acknowledged of the amendment filed on 9/10/2002 and the IDS filed on 9/16/2002, which have been entered in the file. A reference on the IDS has been lined through, since no copy of this reference was provided, the reference will be considered upon receipt of a copy. Claims 46-48, 50, 51, 53, 55, 56, 60-62, 64, 66, and 76-114 are pending.

Drawings

1. The corrected or substitute drawings were received on 9/16/2002. These drawings are acceptable to the examiner.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 95 and 96 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete (claims 95 and 96 depend from claim 69 which has been cancelled by the amendment filed on 9/10/2002).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 46, 48, 50, 51, 53, 55, 56, 62, 64, 66, 76-84, 87-94, 97-114 are rejected under 35 U.S.C. 103(a) as being unpatentable over Combaluzier (WO 95/35534, cited by applicant) in view of Kitagawa et al (US 6,032,857).

Combaluzier teaches a system, method, and computer program including a card (3) adapted to be inserted into a card reader/computer device (control housing 1) that communicates with another device (an electrical apparatus, for example, radios, electrical communication apparatus with station search, digital telephone networks, bar code readers, see page 8, lines 13-21), the card comprising: selectable indicia (14) on a surface of the card, a storage device (chip 18) storing data associated with the indicia wherein selection of one of the indicia while the card is inserted into the reader causes accessing of the corresponding data in the card, the system necessarily includes a card customizing apparatus for customizing the card (for example: an apparatus at the place of manufacture of the card), the card customizing apparatus comprising a processor for handling the first and second information, the processor being configured to write the data into the memory of the card (the information is written at the time of manufacture of the card), wherein the card storing the data is printed by a writer device connected to the card customizing apparatus (the indicium 14 is printed on the card at the time of manufacture), wherein the card reader obtains the selected information dependent upon selection of the indicium (when the user presses one of the keys 13) and sends the second information to the other device, the card reader includes a processor (9) for obtaining the data from the storage device on the card (see figures 1, 2, 5-9, page 3 line 26 - page 4 line 21, page 5 lines 1-7, page 6 line 14 - page 9 line 27).

Combaluzier fails to specifically teach the card reader communicating with a computer device, storing memory references relating to an external memory device, accessing of the memory references causes accessing of corresponding data/service stored in the external memory device using the memory reference, wherein the computer device receives the selected memory reference from the card via the card reader and communicates with the external memory device over a communication network using the selected memory reference to access the corresponding data, wherein the external memory device is a server, the memory references being associated with corresponding web pages, the memory references being URL's, the memory references being telephone numbers.

Kitagawa et al teaches a system and method including a card (10) adapted for insertion into a card reader that communicates with a computer device (for example: electronic wallet 31, personal computer 32, or telephone 34), the card comprising a memory (103) storing memory references (for example: telephone numbers or network addresses) relating to an external memory device, wherein accessing the memory references causes accessing of corresponding data/services stored in the external memory device using the memory reference, a processor (for example: a processor of a store's POS terminal) configured to write the memory references into the storage device of the card, wherein the computer device receives the selected memory reference from the card via the card reader and communicates with the external memory device over a communication network (7) using the selected memory reference to access the corresponding data/services, wherein the external memory device is a server (in that

the external memory device serves information to the users), the memory references being associated with corresponding web pages (network addresses), the memory references being URL's (network addresses), the memory references being telephone numbers (see figures 1-3, 7, 8, column 1 lines 36-44, 54-60, column 2 lines 21-30, 42-52, column 3 line 43 - column 4 line 64, column 6 line 61 - column 7 line 4, column 7 lines 30-35, column 8 lines 3-43, and column 10 lines 1-32).

In view of Kitagawa et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the system and method as taught by Combaluzier, the card reader communicating with a computer device, storing memory references relating to an external memory device, accessing of the memory references causes accessing of corresponding data/service stored in the external memory device using the memory reference, wherein the computer device receives the selected memory reference from the card via the card reader and communicates with the external memory device over a communication network using the selected memory reference to access the corresponding data, wherein the external memory device is a server, the memory references being associated with corresponding web pages, the memory references being URL's, the memory references being telephone numbers, in order to provide large amounts of information to the user while using a minimum amount of memory on the card (see column 8 lines 19-43 of Kitagawa et al).

6. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Combaluzier as modified by Kitagawa et al as applied to claim 46 above, and further in view of Masuzawa et al (US 5,015,830, previously cited).

Combaluzier as modified by Kitagawa et al fails to specifically teach the first information and the second information being inputted from a keyboard.

Masuzawa et al teaches the use of a keyboard (21) for inputting data to be written to a card (50) (see figures 1, 5, 6, column 1 lines 11-20, and column 5 lines 21-30).

In view of Masuzawa et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the system as taught by Combaluzier as modified by Kitagawa et al, the first information and the second information being inputted from a keyboard, in order to utilize a simple and well established means/method of entering data to be stored in a card.

7. Claim 60, 61, 85, and 86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Combaluzier as modified by Kitagawa et al and further in view of Cohn et al (US 6,308,202 B1, previously cited).

The teachings of Combaluzier as modified by Kitagawa et al have been discussed above. Combaluzier also teaches the card reader having a transparent touch sensitive membrane (the keys 13 are made of a touch sensitive membrane) through which a plurality of indicia (14) of an inserted card (3) are visible (see figures 1, 2, 5-9, page 3 line 26 - page 4 line 21, page 5 lines 1-7, page 6 line 14 - page 9 line 27).

Combaluzier as modified by Kitagawa et al fails to specifically teach the computer device being a set top box having an application to provide a service, the application being loaded on the set top box, and a display that displays a web page.

Cohn et al teaches a control unit (28) that communicates with a computer device (22), the control unit sending information to the computer device, the computer device receiving the information from the control unit and using the information to obtain a service via a communication line/computer network (32, 34, 10) from an external site (a site connected to the Internet 10), wherein the computer device is a set top box having an application to provide the service, the application being loaded on the set top box, the set top box is connected to the Internet (10), a display (24) that displays a web page (see figures 1-3, column 3 line 17 - column 4 line 31).

In view of Cohn et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the system as taught by Combaluzier as modified by Kitagawa et al, the computer device being a set top box having an application to provide a service, the application being loaded on the set top box, and a display that displays a web page, in order to provide the ability to use the card reader to control a set-top box, in addition to the computer devices as taught by Combaluzier as modified by Kitagawa et al, thereby increasing the versatility/functionality of the system.

Response to Arguments

8. Applicant's arguments with respect to claims 46-48, 50, 51, 53, 55, 56, 60-62, 64, 66, and 76-114 have been considered but are moot in view of the new ground(s) of rejection.

As discussed above, Kitagawa et al teaches a memory card that stores memory references to a memory device external to the card.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (703)

305-0424. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

jjf
November 25, 2002

MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800